

# 6

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

EVEN, Roni

Serial No.: 09/784,586

Filed: February 15, 2001

For: **A METHOD FOR ESTABLISHING A  
MULTIMEDIA CONNECTION WITH  
QUALITY OF SERVICE USING AN  
ATM BACKBONE**

Group No.: 2661

Examiner: Unknown

Atty. Ref.: 6544.107873 (ACC04)

"Express Mail" Mailing Label Number: EL812796606US

Date of Deposit: November 27, 2002

I hereby certify that this correspondence is being deposited  
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Office of Petitions, Washington, D.C. 20231.

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R. STEVAN COURSEY

Reg. No. 39,949

Signature

PETITION UNDER 37 C.F.R. 1.137(b) AND 37 C.F.R. 1.137(f) TO REVIVE  
UNINTENTIONALLY ABANDONED APPLICATION

November 27, 2002

Commissioner for Patents  
Box DAC  
Office of Petitions  
Washington, D.C. 20231

Sir:

The above-captioned United States nonprovisional patent application was filed on  
February 15, 2001 on Applicant's behalf by Troutman Sanders LLP. The patent application was

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accompanied by a Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i), certifying that “the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing.” Then, on February 26, 2001, an international patent application which disclosed the invention of the above-captioned United States patent application was filed under the Patent Cooperation Treaty by Troutman Sanders LLP. On or about September 14, 2001, the files associated with the United States and international patent applications were transferred to Carr & Ferrell LLP. Subsequently, the power of attorney formerly granted in the United States patent application to the various patent attorneys of Troutman Sanders LLP was revoked by a new power of attorney. Then, by letter dated October 15, 2002, Troutman Sanders LLP was notified by Carr & Ferrell LLP that the files for the United States patent application did not contain a copy of a Request to Rescind Previous Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(ii). Upon review and investigation by Troutman Sanders LLP, it appears that Applicant did not file a Request to Rescind Previous Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(ii) or otherwise notify the United States Patent and Trademark Office of such international filing within forty-five (45) days after the date of filing of the international patent application. Therefore, the United States patent application may have become abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii).

Accordingly, Applicant submits this petition for revival of the United States patent application under 37 C.F.R. § 1.137(b) and 37 C.F.R. § 1.137(f) and is filing the accompanying Request to Rescind Previous Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(ii) concurrently herewith. Because Troutman Sanders LLP originally filed the United States patent application and because Applicant is now represented by new counsel (i.e., Carr & Ferrell LLP), this petition for revival is being filed on behalf of Applicant by the undersigned attorney pursuant to the accompanying Associate Power of Attorney under 37 C.F.R. § 1.34. However, since 37 C.F.R. § 1.137(b)(3) requires the making of a statement “that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional” and since the files associated with the patent application were held during respective portions of the period of delay by two law firms (i.e., Troutman Sanders LLP and Carr & Ferrell LLP), a statement from each law firm as to the unintentional nature of

their portion of the delay is attached hereto in support of this petition to revive. Taken together, the statements indicate that the entire delay in filing the required reply from the due date until the filing of this petition was unintentional.

Applicant notes that no terminal disclaimer is required since the patent application was filed after June 8, 1995 and, therefore, no terminal disclaimer accompanies this petition. However, the applicable petition fee for a large entity is enclosed herewith. Accordingly, please find Check No. 302783 in the amount of \$1,280.00 to cover the petition fee due under 37 C.F.R. § 1.17(m), in accordance with 37 C.F.R. § 1.137(b)(2). Applicant believes that no other fees are due in connection with the filing of this petition. However, in the event that any additional fees are deemed to be due, please charge such fees to Deposit Account 20-1507.

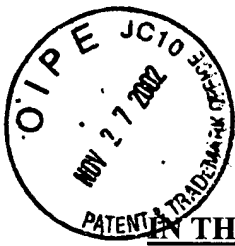
Applicant submits that the requirements of 37 C.F.R. § 1.137(b) and 37 C.F.R. § 1.137(f) are met by this petition to revive, the accompanying statements, the Request to Rescind Previous Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(ii), and the petition fee. Therefore, Applicant courteously requests revival of the above-captioned United States patent application.

Respectfully submitted,

By: 

R. Stevan Coursey  
Registration No. 39,949  
Attorney for Applicant

Troutman Sanders LLP  
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For: **A METHOD FOR ESTABLISHING A  
MULTIMEDIA CONNECTION WITH  
QUALITY OF SERVICE USING AN  
ATM BACKBONE**

Group No.: **2661**

Examiner: **Unknown**

Atty. Ref.: **6544.107873 (ACC04)**

**STATEMENT BY TROUTMAN SANDERS LLP IN SUPPORT OF  
PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 C.F.R. 1.137(b) AND 37 C.F.R. 1.137(f)**

In support of the accompanying petition to revive the above-captioned United States nonprovisional patent application, Troutman Sanders LLP makes the following statement:

The portion of the delay in filing the Request to Rescind Previous Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(ii) in the above-captioned patent application by Troutman Sanders LLP between April 12, 2001 (i.e., due date thereof) and September 14, 2001 and between October 15, 2002 and November 27, 2002 (i.e., the filing date of the accompanying petition to revive) was entirely unintentional.

Respectfully submitted,

By: 

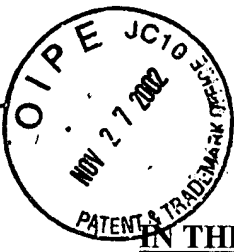
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Group No.: **2661**

Examiner: **Unknown**

Atty. Ref.: **6544.107873 (ACC04)**

**STATEMENT BY CARR & FERRELL LLP IN SUPPORT OF  
PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 C.F.R. 1.137(b) AND 37 C.F.R. 1.137(f)**

In support of the accompanying petition to revive the above-captioned United States nonprovisional patent application, Carr & Ferrell LLP makes the following statement:

The portion of the delay in filing the Request to Rescind Previous Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(ii) in the above-captioned patent application by Carr & Ferrell LLP between September 15, 2001 and October 14, 2002 was entirely unintentional.

Respectfully submitted,

By: 

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Attorney for Applicant

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2225 East Bayshore Road  
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(650) 812-3476

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